



Risk Management Official's Annual Report

Report on 2018 Activities

Compliance Section, Source Protection Risk Management Office

February 1, 2019

This report is being provided to the Greater Sudbury Source Protection Authority to satisfy the Annual Reporting Requirements of the Greater Sudbury Source Protection Plan that came into effect on April 1, 2015, in addition to Section 81 of the Clean Water Act, 2006.

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1. Introduction

This annual report is provided in accordance with Part IV, Section 81 of the *Clean Water Act, 2006* (the Act), Ontario Regulation 287/07 (O.Reg. 287/07), Section 65 to satisfy the Annual Reporting Requirements for the Greater Sudbury Source Protection Plan (SPP) that came into effect April 1, 2015. This report outlines the legislated activities undertaken by the City of Greater Sudbury's Risk Management Office in 2018. It also highlights the voluntary efforts taken to prepare for the City's implementation of the various SPP Policies in addition to the Part IV responsibilities.

2. Risk Management Officials and Inspectors

2.1 Appointment by Council

The City of Greater Sudbury passed By-law 2015-34 on March 31, 2015 to appoint one (1) Risk Management Official (RMO), one (1) alternate RMO, and three (3) Risk Management Inspectors (RMIs). Certificates of Appointments were issued to each RMO/RMI or RMI by the Municipal Executive Director of Administration/City Clerk as required by subsection 47(7) of the Act. The appointment of RMO/RMIs satisfies the requirement of subsection 47(6) of the Act.

City of Greater Sudbury Appointment By-law 2018-121 Schedule "B"; Part 1 (amended) identifies the appointed City Officials with designated responsibility for Source Protection

2.2 O.Reg. 287/07 Required Training

The RMOs and RMIs have completed the M.E.C.P.'s Source Protection Director-Approved training courses as per O. Reg. 287/07 under the Act, see Table 1.

It is recognized that some staff members are due to complete the Property Entry and RMO/RMI online re-qualification training. These members have or are preparing to re-certify their RMO/RMI status.

Table 1. Risk Management Office Staff Information

Staff Name	Title/Role	Email/Phone	Property Entry Training Course	RMO/RMI Training Course	Expiry/Renewal Date
Brouse, David	Manager of Compliance Services (RMI/Alternate RMO)	David.brouse@greatersudbury.ca (705) 674-4455 ext. 3651	October 3, 2013	October 3, 2013	March 2020
Desjardins, Amanda	Water/Wastewater Environmental Compliance Officer (RMI)	Amanda.desjardins@greatersudbury.ca (705) 674-4455 ext. 3658	September 12, 2014	September 12, 2014	September 2019
Frappier, Andre	Water/Wastewater Environmental Compliance Officer (RMI)	Andre.frappier@greatersudbury.ca (705) 674-4455 ext. 4827	March 4, 2016	April 14, 2016	April 2021

Haslam, Lana	Water/Wastewater Environmental Compliance Officer (RMI)	lana.haslam@greatersudbury.ca (705) 674-4455 ext 3658	June 19, 2017	August 31, 2017	August 2022
Friel, Julie	Manager of Water (RMO)	julie.friel@greatersudbury.ca (705) 674-4455 ext 4473	February 2018	February 2018	February 2023
Jensen, Mike	Director of Water Wastewater Treatment & Compliance Services	Mike.jensen@greatersudbury.ca	October 2012	November 2012	Expired
Brunette, Jessica	Water/Wastewater Environmental Compliance Officer (RMI)	jessica.brunette@greatersudbury.ca (705)674-4455 ext n/a	October 2012	November 2012	October 2022

3. Risk Management Office

The City of Greater Sudbury passed By-law 2015-34 respecting enforcement of the *Clean Water Act, 2006*, read and reviewed by Council on March 31, 2015. All required sections of Part IV of the *Act* are included in the By-law, as are requirements for mandatory and review and amendment of the By-law by 2020. As per section 55 of the *Act*, a *Prescribed Fees Schedule* governing the following was also incorporated into the By-law;

- a) Application for a notice issued pursuant to section 59 of the *Act*,
- b) Application for an agreement to a Risk Management Plan,
- c) Application for establishment of a Risk Management Plan,
- d) Application for an agreement to an amendment of a Risk Management Plan, or
- e) Upon Notice of the Order establishing a Risk Management Plan under subsection 58(10) of the *Act*, and
- f) Application for acceptance of a Risk Assessment,
- g) Application for a Transfer Application (Risk Management Plan/Agreement),
- h) Completion of a *Verification Inspection*,
- i) Upon commencement of the work caused to be done by the Risk Management Official pursuant to Section 64 of the *Act*, and
- j) For services of consultants or other service providers to the City retained to provide expertise.

There are no imminent plans to amend the by-law or fee schedule at this time.

Table 2 lists a number of business processes that are required in order to ensure compliance with Sections 57, 58, 59 and 60 of the *Act*. An 'x' is placed beneath the statement that best describes the development status of the business process in the left column.

Table 2. Sections 57, 58, 59 & 60 – Activity Prohibition, Risk Management Plans, Restricted Land Use Review of Planning Applications & Building Permits and Risk Assessments

Section 57, 58, 59 & 60 Processes	Development Status		
	Not Started/Not Implemented	In Progress	Complete/Implemented
Data management/records system to track all Part IV activities			X (with continual improvements)
Notification communication/mail out for persons subject to Section 57 & 58 policies		X	
Instructional guidelines on Source Protection Part IV and how to complete a Risk Management Plan or Risk Assessment (online and print)			X
Information and forms necessary for the execution of Section 61, O.Reg. 287/07.			X
Risk Management Plan applications/templates under Section 58			X
Risk Assessment Application Forms available to persons wishing to complete under Section 60			X
Risk management inspection protocols, forms and guidelines			X
Inspection reporting templates			X
Prioritization of risk management process workload		X	
Approved business processes/tools for flagging potential threats under Section 59			X (effective prior to implementation date)
Approved Forms/Notices for implementation of Section 59 processes – and availability of forms to public			X
Data sharing agreement between CGS and NDCA			X
Implementation of other policies for which the Risk Management Office is responsible		X	

The Risk Management Office in Water/Wastewater Treatment and Compliance Services was established in late 2013. As the Source Protection Plan was approved in September 2014 with an Effective Date of April 2015, Council began appointing staff as RMOs and RMIs shortly thereafter.

Throughout the preparation for SPP implementation, several reports have been generated for the City's Operations Committee and Council, as well as for the Executive Leadership Team and CAO. It is the Risk Management Office's intent to continue to provide regular information updates to key stakeholders as the program continues to develop.

3.1 Data and Program Management

While various templates to address several processes under Part IV were developed early on, they were all revised in 2017. As a result of actual policy implementation, several forms, letters, notices, guidance documents and other various templates have been established.

A filing system and threats verification database has long been established and both continue to be populated.

As we indicated in the First Annual Report, the management of program data and record keeping is something ever evolving. As the City continues to develop better ways of managing data as a municipality, Water/Wastewater Treatment and Compliance Services is pleased to report that we have retained a new staff member who will be able to assist with our growing needs. As such, over the coming years we will be working with all of our team members to assess our Source Protection program and improve our business process.

The Source Protection page of the City's Water/Wastewater Treatment and Compliance Services website is reviewed and amended regularly, with new information and templates being posted as they become necessary. Links to various other resources are provided and routinely checked. Paper Application forms are available at the Building Services and Planning Services Counters, as well as at all CGS Citizen Service Centers and Libraries. Staff members are also available to meet with persons requiring additional assistance as needed.

While a verbal, non-binding agreement was allowed for the necessary sharing of vulnerable area mapping data between the Source Protection Authority (NDCA) and the City during the establishment of the Risk Management Office, a formalized legal agreement was required. An agreement has been achieved and the Risk Management Office obtained a Source Protection Data Sharing Agreement from the Nickel District Conservation Authority (NDCA) and the City of Greater Sudbury (CGS). The agreement became effective October 1, 2012.

Prior to the Effective Date of the Source Protection Plan, numerous meetings between City departments required to implement Section 59 and the Risk Management Office led to the creation of working groups. A document review procedure, mapping program and reporting system were established for both Building Services and Planning Services. The process has been in place and functioning well since prior to the effective date of the SPP. A working group meeting will be scheduled later this year to evaluate to procedures that have been put in place and to make suggestions for improvement.

3.2 Section 59 Notices

The Section 59 Restricted Land Use review process was established internally prior to the effective date of the SPP. Together, Planning and Building Services along with the RMO Office continue to effectively screen a variety of Planning Act applications and Building Permit Applications. If criteria are not met for the required Source Protection screening, a memo regarding unrelated projects on properties that may still have existing threat activities is forwarded to the Risk Management Office for information purposes.

The screening of the various applications received by the City result in one of four outcomes; the proposal if permitted; is prohibited; is permitted and an approved Risk Management Plan (RMP) is agreed to/established; or is not permitted until a RMP has been agreed to/established.

Below is a summary of the applications which have been reviewed for the 2018 reporting year.

3.2.1 Building Permits

- a) Number of Permits received city-wide: **1804**
- b) Number of Permits in Vulnerable Areas: **129**
- c) Number of Permits which required review by the RMO: **29**
 - a. Number of Permits for which a Section 59 Notice could **NOT** be issued: **10**
(conditional permit issued pending RMP)
 - b. Number of Permits for which a Review was not required: **88**
 - c. Number of Permits which are still under review: **2**
(carried over into 2019)

3.2.2 Planning Act Applications

- d) Number of Site Plan Control Agreements (SPCAs) city-wide: **21** Reviewed by RMO: **1**
 - a. Number of SPCAs for which a Section 59 Notice could **NOT** be issued: **0** (Hold issued pending RMP)
- e) Number of Re-Zoning Applications city-wide: **39** Reviewed by RMO: **4**
 - a. Number of Re-Zonings for which a Section 59 Notice could **NOT** be issued: **0**
(pending RMP)
- f) Number of Official Plan Amendment Applications city-wide: **5** Reviewed by RMO: **0**
- g) Number of Consent Applications city-wide: **103** Reviewed by RMO: **12**
- h) Number of Minor Variances city-wide: **107** Reviewed by RMO: **11**
- i) Number of Plan of Subdivision Applications city-wide: **0** Reviewed by RMO: **0**
- j) Number of Plan of Condominium Applications city-wide: **1** Reviewed by RMO: **0**

3.3 Threats Verification

Inspections are carried out in accordance with the *Act* and are done so in the same manner that other regulatory inspections are carried out by trained municipal officials. As previously indicated, staff members have received *Property Entry* training as per the *Act* in addition to various Municipal Law Enforcement Association courses as Officers for administration and enforcement of multiple Environmental and Infrastructure related City of Greater Sudbury By-Laws.

In the spring of 2015 mail-outs including a detailed letter and coloured map were sent out to property owners with known or suspected significant threat activities requiring RMPs. Inspections were scheduled shortly thereafter to confirm whether or not threat activities were present and to provide persons engaged in threat activities the necessary resources to be compliant with the SPP. These field verifications and meetings with persons implicated by the policies in the Plan are still ongoing. Industrial and commercial type properties in the Ramsey Lake watershed as well as agricultural/rural properties closest to the drinking water wells were addressed first.

In addition to the provided list of suspected properties, some new properties and new activities came to our attention through the section 59 screening process and required additional field inspection, sometimes resulting in the need for a RMP. In other instances, field verification confirmed there was NOT a need for a RMP as was previously thought.

The Risk Management Office is actively continuing to undertake threat verification field work to determine the accurate number of RMPs required in the Source Protection Area. As site-visits are conducted, staff members initiate the process of negotiating a RMP. Additional on-site meetings, phone calls, and emails are required regularly.

A total of **48** sites have been identified as a potential threat and visited to verify Assessment Report enumerated threats to date. This number **DOES NOT** represent any additional field visits or communications encountered, as referenced above.

3.4 Summary of other duties of the City's Risk Management Office

As directed by Council, Water/Wastewater Treatment and Compliance Services is responsible for coordinating the City's overall Source Protection Program. The Risk Management Office, in addition to part IV responsibilities, guides the various stakeholders at the City in the implementation of all policies for which the City of Greater Sudbury was named the implementing body.

In an effort to administer and organize policy implementation, as well as to hold various departments accountable for their requirements, internal policies were developed early on and signed by the affected General Managers and the CAO. These policy documents are reviewed and amended as required. Given the ongoing changes in management and the retirement of several key staff members, the policies are presently undergoing revisions.

As was previously indicated, the Risk Management Office continually plays a vital role in the overall implementation of SPP policies directed to the City. To better prepare for the Second Annual Report on policy implementation due February 2019, interim reports are regularly prepared by stakeholders and reviewed by the Risk Management Office. Meetings are then scheduled as appropriate to guide departments in their requirements and to provide assistance where there may be shortcomings.

Education and Outreach initiatives continue to be crucial elements to the effective delivery of all Water/Wastewater Treatment and Compliance Services in the community. In partnership with the Environmental Planning Initiatives Section, every effort is made to convey Source Protection related information to the public. Additionally, Water/Wastewater Treatment and Compliance Services has continued to forge a good working relationship with the Communications Department and has an assigned Communications Officer to assist with outreach projects.

4. Part IV Implementation Specifics

The following section fulfills the requirements of Section 65 of Ontario Regulation 287/07.

Note: No interim RMPs (Section 56) were negotiated or established prior to the approval of the SPP.

4.1 Number of Risk Management Plans agreed to (Section 58 (5)) or established (Section 58 (10) or (12)) : 20

Property	Indicate for each:			
	Location	WHPA/ IPZ/ICA	Activity	Notes
1.	935 Ramsey Lake Road, Sudbury Laurentian University	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat, however expedited due to inability to obtain Section 59 Notice and therefore necessary planning approvals and building permits. -Required several site inspections and meetings to determine requirements. -RMP has been completed
2.	1290-F Bancroft Drive, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
3.	1399, 1499, 1599 Marcus Drive, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
4.	1099 Marcus Drive, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
5.	2100 Kingsway, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
6.	1199 Marcus Drive, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress

7.	488 Falconbridge Road, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
8.	0 Kingsway, Sudbury (Lacroix Construction)	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
9.	5085 Highway 69 North, Hanmer (Mall)	Philippe WHPA B(10)	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
10.	5085 Highway 69 North, Hanmer (Petro Canada)	Philippe WHPA B(10)	1. Handling and Storage of fuels	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
11.	367 Linden Drive, Hanmer	Linden WHPA C(8); Well R WHPA B(10)&C(8)	1. Livestock Grazing/Pasturing 2. Application of ASM 3. Handling and Storage of ASM	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
12.	3397 Falconbridge Hwy., Garson	Garson Wells 1 & 3 WHPA B(10)	1. Handling and Storage of fuels	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
13.	4980 Highway 69 North, Hanmer	Philippe WHPA A & B(10)	1. Handling and Storage of Fertilizer 2. Application of Pesticides	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
14.	5206 Highway 69 North, Hanmer	Philippe WHPA C(8)	1. Handling and Storage of DNAPLs	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
15.	1800 Frobisher Rd., Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
16.	2018 Kingsway, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress

17.	2030/2042 Kingsway, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
18.	1988 Kingsway, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
19.	1024 Kingsway, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress
20.	233 Fourth Ave., Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	- Known threat -Required several site inspections and meetings to determine requirements. -RMP is in progress

4.2 Number of Risk Management Plans that the Risk Management Official refused to agree to or establish (Section 58(15)or (16)): 8

Property	Indicate for each:			
	Location	WHPA/ IPZ/ICA	Activity	Reason for Refusal
1.	367 Linden Drive, Hanmer	Linden WHPA C(8); Well R WHPA B(10)&C(8)	1. Livestock Grazing/Pasturing 2. Application of ASM 3. Handling and Storage of ASM	Insufficient information
2.	3397 Falconbridge Hwy., Garson	Garson Wells 1 & 3 WHPA B(10)	1. Handling and Storage of fuels	Insufficient information
3.	0 Kingsway, Sudbury (Lacroix Construction)	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	Insufficient information
4.	2018/2054 Kingsway, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	Insufficient information
5.	2030 / 2042 Kingsway, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage	Insufficient information

			of road salt	
6.	1290-F Bancroft Drive, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	Insufficient information
7.	1399, 1499, 1599 Marcus Drive, Sudbury	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	Insufficient information
8.	0 Kingsway, Sudbury (Kingsway Entertainment District)	Ramsey IPZ 3(9)/ICA	1. Application of road salt/storage of Snow 2. Handling and storage of road salt	Insufficient information

4.3 Number of Orders issued under Part IV: 0

Property	Indicate for each:			
	Location	WHPA/ IPZ/ICA	Activity	Reason for Order
0.	N/A	N/A	N/A	N/A

4.4 Number of Notices of Prescribed Instrument given to the Risk Management Official (O.Reg. 287/07 section 61(2) or (7)) : 3

Property	Indicate for each:			
	Location	WHPA/ IPZ/ICA	Activity	Prescribed Instrument
1.	935 Gravel Drive, Hanmer Westcroft Stables	Deschene WHPA B(10) & C(8)	-Livestock Grazing/Pasturing -Application of ASM -Handling and Storage of ASM	-Nutrient Management Strategy #15084 -As per the Regs, a copy of the notice received was provided to the DWSP Director -A notice indicating a <i>Statement of Conformity</i> from the Instrument Issuer is required was provided to both the person engaged in the activity and to OMAFRA -OMAFRA has acknowledged the need to issue a statement and is presently in the process of reviewing the file

2.	5041 Notre Dame Avenue, Hanmer <u>Application not yet received, but in progress</u>	Notre Dame WHPA B(10) & C(8)	-Livestock Grazing/Pasturing -Application of ASM -Handling and Storage of ASM	-A notice indicating a <i>Statement of Conformity</i> from the Instrument Issuer is required was provided to both the person engaged in the activity and to OMAFRA -OMAFRA has acknowledged the need to issue a statement and is presently in the process of reviewing the file
3.	1818 Kenneth Drive, Hanmer L&L Valley Scrap Metal <u>Application not yet received, but in progress</u>	Kenneth WHPA A&B (10) & C(8)	-Waste Disposal Site (Derelict Vehicles/Metal Recycling)	-Due to recent changes to the EPA, Part V – Automotive recyclers are now required to be managed under a PI -File is complete with a signed RMP. The property owner is to submit notice with copies of PIs received

4.5 Number of Prescribed Instrument Termination Notices given by the Risk Management Official (O.Reg. 287/07 Section 61(10)) : 1

Property	Indicate for each:			
	Location	WHPA/IPZ/ICA	Activity	Prescribed Instrument
0.	N/A	N/A	N/A	N/A

4.6 Number of inspections carried out for the purpose of enforcement (Section 62) : 0

	a) What is the total number of inspections that were carried out for activities that require a Risk Management Plan under s.58 of the CWA? Which Activity was the inspection related to?
0.	No formal RMP inspections have been carried out as RMPs were established later on in the season, however threat verification site-visits are ongoing
	b) Of the inspections carried out for activities requiring a RMP, how many were found to be in non-compliance with the specific contents of the RMP?
0.	Not applicable

	c) What is the total number of inspections carried out for activities that were prohibited?
1.	Regular inspections continue in the Kenneth WHPA to confirm no new livestock are present

	d) Of the number of inspections undertaken in respect to an activity to which s.57 of the Act applied, in how many cases was the person engaged in contravention with s. 57 of the Act?
0.	No non-compliances

4.7 Number of Risk Assessments submitted (Section 60) : 0

Property	Indicate for each:			
	Location	WHPA/ IPZ/ICA	Activity	Accepted/Not Accepted
0.	N/A	N/A	N/A	N/A

4.8 Number of times the Risk Management Official caused a thing to be done (Section 64) : 0

Property	Indicate for each:			
	Location	WHPA/ IPZ/ICA	Activity	Notes/Comments
0.	N/A	N/A	N/A	N/A

4.9 Total number offences which resulted in prosecutions (Section 106) : 0

Property	Indicate for each:			
	Activity Offence	WHPA/ IPZ/ICA	Location	Conviction Y/N
0.	N/A	N/A	N/A	N/A

5. Other

5.1 New, Altered or Decommissioned Drinking Water Systems

- a) Are there any new, planned or potential drinking water systems (wells or intakes) within the next 5 years? Yes ☐ No ☒

If **yes**, describe:

- i) Type of system (surface or groundwater): N/A
- ii) Current planning status: N/A
- iii) Location: N/A
- iv) Timing for bringing the system/intake/well online: N/A

If **yes**, has the necessary technical work for the new well/intake/system been completed? (i.e. delineation of wellhead protection areas/intake protection zones and identification of significant drinking water threats) N/A

- b) Is the municipality planning to decommission an existing well, intake, or system? Yes ☐ No ☒

If **yes**, describe:

- i) Name of system: N/A
- ii) Location: N/A
- iii) Timing for decommissioning: N/A

For further information regarding the contents of this report, please contact the Source Protection Risk Management Office in Water/Wastewater Treatment and Compliance Services.

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Date